

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Brechbiel et al.

Application No. 10/756,948

Filed: January 13, 2004

Confirmation No. 3278

For: METHODS FOR IMAGING THE
LYMPHATIC SYSTEM USING
DENDRIMER-BASED CONTRAST
AGENTS

FILED VIA EFS ON
July 31, 2007

Examiner: Melissa Jean Perreira

Art Unit: 3736

Attorney Reference No. 4239-67017-01

Declaration of Hisataka Kobayashi Under Rule 132

Dear Madam,

I, Hisataka Kobayashi, am a co-inventor in the above-identified application, and declare as follows:

1. I am a co-inventor of the subject matter described and claimed in the United States Patent Application Serial No. 10/756,948, filed January 13, 2004, entitled Methods for Imaging the Lymphatic System Using Dendrimer-Based Contrast Agents.
2. I am a co-author of an article entitled Dendrimer-based Macromolecular MRI Contrast Agents: Characteristics and Application, *Mol. Imaging* **2003**, 2(1), 1-10. The article states that it was received by the journal January 2, 2003, and was accepted for publication on February 6, 2003. I was not able to download the article until February 11, 2003. To my knowledge, the article was not publicly available before February 11, 2003.
3. The article described in paragraph 2 is a review article which describes work performed by my research group and a number of other groups. Pages 6-8 describe work performed by my research group and published in the article described below in paragraph 6, and is indicated as such in the article by citation number 53.
4. I am a co-author of an article entitled Comparison of Dendrimer-Based Macromolecular Contrast Agents for Dynamic Micro-Magnetic Resonance Lymphangiography, *Magn. Reson. Med.* **2003**, 50, 758-765, and a co-inventor of the subject matter which is disclosed in this publication and disclosed and claimed in the above-referenced patent application. Peter L. Choyke, Thomas A. Waldmann, and Martin W. Brechbiel are also co-authors of this article and co-inventors of the subject matter which is disclosed in this publication and disclosed

and claimed in the above-referenced patent application.

5. Satomi Kawamoto, Robert A. Star, Yutaka Tagaya, Michael Knopp, and Noriko Sato are also listed as co-authors on the article listed in paragraph 4. While each of these individuals are co-authors of the publication, they are not co-inventors of the subject matter described therein. The contributions of these co-authors to this article are described in paragraphs 7-11 below.

6. I am a co-author of an article entitled Micro-magnetic Resonance Lymphangiography in Mice Using a Novel Dendrimer-based Magnetic Resonance Imaging Contrast Agent, *Cancer Research* 2003, 63, 271-276 and a co-inventor of the subject matter which is disclosed in this publication and disclosed and claimed in the above-referenced patent application. Thomas A. Waldmann and Martin W. Brechbiel are also co-authors of this article and co-inventors of the subject matter which is disclosed in this publication and disclosed and claimed in the above-referenced patent application.

7. Satomi Kawamoto, Robert A. Star, and Yutaka Tagaya are also listed as co-authors on the article listed in paragraph 6. While each of these individuals are co-authors of the publication, they are not co-inventors of the subject matter described therein. The contributions of these co-authors to this article are described in paragraphs 8-12 below.

8. Satomi Kawamoto worked under my supervision and control in assisting me to carry out the experiments described in the publications of paragraphs 4 and 6.

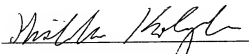
9. Noriko Sato and Yutaka Tagaya provided the animal models used for the experiments described in the publications of paragraphs 4. Yutaka Tagaya provided the animal models used for the experiments described in the publication of paragraph 6.

10. Robert A. Star reviewed the manuscripts for the articles of paragraphs 4 and 6.

11. Michael V. Knopp provided the Gadomer-17 imaging agent used in the article of paragraph 4.

12. The individuals discussed in paragraphs 8-11 were not inventors of the subject matter described in the articles or in the presently pending patent application, but were listed as co-authors of the articles of paragraphs 3 and 5 in order to receive credit for having collaborated in the research program under the direction and control of the co-inventors of the application and/or contributed to the program by providing materials.

13. I further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the above-referenced application or any patent issuing thereon.


Hisataka Kobayashi

7-18-07
Date